

**ESCALANTE CITY
ORDINANCE 2024-07**

**AN ORDINANCE AMENDING ESCALANTE CITY CODE 10.54.270 LOT LINE
ADJUSTMENTS AND PROVIDING REPEALER WITHIN THE CITY OF
ESCALANTE, STATE OF UTAH.**

WHEREAS, the City Council, as the governing body of the City of Escalante, State of Utah, specifically finds that it is in the best interest of the safety and welfare of the citizens of the City of Escalante to amend the following Ordinance; and

WHEREAS, The City Council and Mayor wish to amend such an Ordinance.

NOW THEREFORE, be it ordained by the Council of the City of Escalante, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “10.54.270 Lot Line Adjustments; Approval” of the Escalante Zoning Code is hereby *amended* as follows:

BEFORE AMENDMENT

10.54.270 Lot Line Adjustments; Approval

Property owners may adjust their lot lines and record the amendments to the appropriate subdivision plat or deeds of record if the following conditions are met:

- A. No new dwelling lot or housing unit results from the lot line adjustment.
- B. The lot line adjustment does not result in a remnant piece of land that did not exist previously.
- C. The lot line adjustment does not result in the violation of any applicable zoning requirement. Lot adjustments that are recorded and do not meet the above conditions shall be considered a violation of this ordinance.
- D. Approval of a Lot Line Adjustment:
 1. Owners' Responsibilities:
 - a. The owners seeking approval for a lot line adjustment shall present to the Planning Commission:
 - (1) Letters from both property owners requesting approval of a lot line adjustment or a personal appearance before the Planning Commission requesting the same.
 - (2) A map indicating the present lot boundaries and the boundaries as they will be upon completion of the lot line adjustment.
 - (3) A legal description of both affected properties describing the lots as they will exist after the lot line adjustment.
 - b. Upon approval by the City Council , the legal descriptions from the

applicant shall be recorded at the Garfield County Recorder's Office as an amendment to existing parcels or subdivision plat as appropriate. The lot line adjustment shall not be considered complete until this action is taken and a copy is received by the City.

2. Planning Commission Responsibilities:

- a. Upon receipt of the materials described above, the Planning Commission shall review the map and legal descriptions to ensure that:
 - (1) The adjusted lots shall each have sufficient acreage to meet the minimum required area for the zone(s) in which the lots exist.
 - (2) The adjusted lots shall each have the minimum required width required for the zone(s) in which the lots exist.
 - (3) The adjusted lots conform to all relevant ordinances.
 - (4) The adjusted lots each have access via street or lane.
 - (5) The requirements from the beginning of this section are satisfied.
- b. Upon finding that all requirements from paragraphs A through C are met, the Planning Commission shall recommend the requested lot line adjustment to the City Council for approval.

AFTER AMENDMENT

10.54.270 Lot Line Adjustments; Approval

Property owners may adjust their lot lines and record the amendments to the appropriate subdivision plat or deeds of record if the following conditions are met:

- A. No new dwelling lot or housing unit results from the lot line adjustment.
- B. The lot line adjustment does not result in a remnant piece of land that did not exist previously.
- C. The lot line adjustment does not result in the violation of any applicable zoning requirement. Lot adjustments that are recorded and do not meet the above conditions shall be considered a violation of this ordinance.
- D. Approval of a Lot Line Adjustment:
 1. Owners' Responsibilities:
 - a. The owners seeking approval for a lot line adjustment shall present to the ~~Planning Commission~~CityOffice:
 - (1) Letters from both property owners requesting approval of a lot line adjustment, ~~or a personal appearance before the Planning Commission requesting the same.~~
 - (2) A map indicating the present lot boundaries and the boundaries as they will be upon completion of the lot line adjustment.
 - (3) A legal description of both affected properties describing the lots as they will exist after the lot line adjustment.

- b. Upon approval ~~by the City Council,~~ the legal descriptions from the applicant shall be recorded at the Garfield County Recorder's Office as an amendment to existing parcels or subdivision plat as appropriate. The lot line adjustment shall not be considered complete until this action is taken and a copy is received by the City.
2. ~~Planning Commission~~City Responsibilities:
- a. Upon receipt of the materials described above, the ~~Planning Commission~~City shall review the map and legal descriptions to ensure that:
 - (1) The adjusted lots shall each have sufficient acreage to meet the minimum required area for the zone(s) in which the lots exist.
 - (2) The adjusted lots shall each have the minimum required width required for the zone(s) in which the lots exist.
 - (3) ~~The~~ adjusted lots conform to all relevant ordinances.
 - (4) The adjusted lots each have access via street or lane.
 - (5) The requirements from the beginning of this section are satisfied.
 - b. ~~Upon finding that all requirements from paragraphs A through C are met, the Planning Commission shall recommend the requested lot line adjustment to the City Council for approval.~~

PASSED AND ADOPTED BY THE ESCALANTE CITY COUNCIL MARCH 19, 2024.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Chad Lyman	<u>X</u>	_____	_____	_____
Councilmember Sally Orme	<u>X</u>	_____	_____	_____
Councilmember Marlene Stowe	<u>X</u>	_____	_____	_____
Councilmember Blaine Porter	<u>X</u>	_____	_____	_____
Councilmember Lenza Wilson	<u>X</u>	_____	_____	_____

Presiding Officer

Attest



Melani Torgersen, Mayor, Escalante
City



Stephanie Steed, MMC, City Recorder,
Escalante City

